

Central Region Review



U.S. Army Environmental Center Central Regional Office Kansas City, Missouri



★ SEPTEMBER 1999 ★

★ REGIONS VI & VII ★

*Environmental Legislative Actions, Proposed Rules, Final Rules, Emergency Rules, and Judicial Decisions
for the States in Federal Regions VI and VII.*

GENERAL INFORMATION

U.S. EPA Recognizes DoD Pesticide Management Program. According to a 19 August 1999 U.S. EPA press release, U.S. EPA is giving DoD a Special Achievement Award in recognition of efforts to reduce pesticide use and risks across all of its major installations. DoD reduced its pesticide usage by 50 percent, from 892.4 million pounds of active ingredient in 1993 to 450.6 million pounds in 1998. DoD's Armed Forces Pest Management Board developed its pesticide risk reduction strategy in cooperation with U.S. EPA and other federal agencies and organizations actively working to establish programs that effectively reduce health and environmental risks associated with pesticide use. More information on DoD's program and U.S. EPA's Pesticide Environmental Stewardship Program is available at <http://www.epa.gov/pesticides/peesp/>.

ASSISTANCE/GUIDANCE INFORMATION

Army Prepares Guidance on New Federal Emissions Standards. Over the next few years, U.S. EPA will promulgate National Emissions Standards for Hazardous Air Pollutants (NESHAPs) that cover a variety of chemical compounds and substances. U.S. EPA has promulgated NESHAPs for 12 types of operations since November 1992, and the agency expects to have standards for 174 more by mid-November 2000. The U.S. Army Environmental Center (USAEC) estimates standards covering 26 of these operations will affect some Army installations. Current NESHAPs apply to Army activities such as solvent cleaning, aerospace vehicle maintenance, and chromium electroplating. Upcoming NESHAP regulations are expected to restrict emissions from painting, paint stripping, engine test facilities, incinerators, and coal-fired boilers. DoD and USAEC are preparing documents to help installations comply with NESHAPs, and developing forums to work with installation staffs to shape NESHAP compliance programs. Both the Defense Environmental Network and Information eXchange (DENIX) web site at

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<http://www.denix.osd.mil/denix/DOD/dod.html> and USAEC web site at <http://aec.army.mil/> offer documents and related NESHAP information.

Tactical Concealment Area Planning and Design Guidance Document. USAEC has announced that the *Tactical Concealment Area Planning and Design Guidance Document* (AEC Report #SFIM-AEC-EQ-CR-99031) will be available in September 1999 to help Army trainers and land managers enhance installation training resources using suitable development techniques. The guidance document provides installations with the opportunity to complete work in-house rather than contracting it out, saving money and affording more control over projects. The guidance contained in this document is a compilation of lessons learned from installation field experts and has been field tested at four Army and National Guard installations. The guidance document, as well as the tri-fold field guide *Tactical Concealment Area Design and Construction Guide*, are available to DoD personnel only.

Decision Tool to Assist Installations in Combating Dust. USAEC, in cooperation with the U.S. Army Corps of Engineers Laboratories, has developed the *Dust Control Guidance and Technology Selection Key* (AEC Report #SFIM-AEC-EQ-CR-99002). This Selection Key provides guidance on the identification, selection, and application of installation-specific dust control measures. The Selection Key comes in three compatible formats: a handy pocket field guide; a hardbound, comprehensive handbook; and an interactive, Web-based version. Land managers can take the field guide to sites where dust control is a problem and review their options for solutions while assessing site conditions. Once back in the office, they can consult the handbook or the Web-based version for answers to questions that arose in the field. The handbook includes ways to identify areas that need dust control, explanations of site maintenance and construction methods, and descriptions of mechanical stabilization practices to consider before using dust control products. The handbook also takes the user through a series of questions on site-specific factors such as climate, underlying soil types, surface characteristics, and vehicle types and traffic volume and matches them with appropriate and cost-effective dust control strategies. Hard copies of the Selection Key and Field Guide can be obtained by contacting the USAEC Environmental Hotline at 1(800) USA-3845; DSN 584-1699. The Web-based electronic versions may be viewed at <http://aec.army.mil/prod/usaec/et/conserv/conserv.htm>.

New Tool Expands the Public's Right-to-Know About Pollution. U.S. EPA is releasing a new tool for comparing information about pollution in local communities. This new tool entitled, "Risk-Screening Environmental Indicators," is available on CD-ROM and is a part of the agency's public right-to-know efforts. It uses national data on toxic chemical emissions from U.S. EPA's Toxic Release Inventory (TRI). Specifically, the new tool can be used to compare relative risk from toxic chemicals grouped by categories like cities, states, and industrial facilities, based on factors like pounds of pollutants released, relative toxicity, population and exposure data. These relative-risk rankings can only be used for comparisons. For example, the rankings now allow one industrial facility to be compared to another, but are not intended for quantifying actual risks posed to public health from any single facility, geographical area or other category. Such comparisons are meant to be helpful only for identifying and prioritizing areas for further research and attention. A more detailed description of the tool, the user manual, and frequently asked questions is available at http://www.epa.gov/opptintr/env_ind/index.html. For further information contact: Nicolas W. Bouwes, Sr., Ph.D., or Steven M. Hassur, Ph.D.; U.S. EPA; (202) 260-1622 and (202) 260-1735, respectively; e-mail: bouwes.nick@epa.gov and hassur.steven@epa.gov.

ISO 14000 Video Available. Cuyahoga Community College (CCC) in Cleveland, Ohio, has produced an ISO 14000 video for small businesses under a grant from the U.S. Small Business Administration. The video comes with a handbook and requires only a small shipping charge. For further information contact: Herb Mausser; CCC; e-mail: herbert.mausser@tri-c.cc.oh.us.

TRAINING INFORMATION

HAZWOPER (Hazardous Waste Operator and Emergency Response) Training. Compliance Solutions (CS) will be offering the following 40-hour HAZWOPER training sessions in September:

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|---------------------|-----------------------------|
| • Houston, TX | 14-17 September 1999 |
| • Dallas, TX | 21-24 September 1999 |
| • Oklahoma City, OK | 21-24 September 1999 |

Additional HAZWOPER training information is available on the CS web site at <http://www.csregs.com/>. For further information contact: CS; 1(800) 711-2706; fax (800) 511-4944.

U.S. EPA Region VI -- Environmental Response Training Program (ERTP). U.S. EPA Region VI will be offering the following upcoming environmental response training course:

- Introduction to Groundwater Investigations **14-16 September 1999** (Santa Fe, NM)

ERTP course information is available at U.S. EPA's Training Exchange web site at <http://www.trainex.org/>. To register for a class or for more information on courses offered by U.S. EPA Region VI, contact: Keith Reddick; U.S. EPA Region VI; (214) 665-8338; fax (214) 665-7447; e-mail: [reddick.Keith@epamail.epa.gov](mailto:rednick.Keith@epamail.epa.gov).

U.S. EPA Region VII -- ERTP. U.S. EPA Region VII will be offering the following upcoming environmental response training course:

- Waste Treatment, Transportation and Disposal **13-14 September 1999** (Kansas City, KS)
- Safety and Health Decision-Making for Managers **14-15 September 1999** (Kansas City, KS)

ERTP course information is available at U.S. EPA's Training Exchange web site at <http://www.trainex.org/>. To get a list of all training opportunities currently available through U.S. EPA Region VII, or for more information on classes, contact: Evelyn VanGoethem; U.S. EPA Region VII; (913) 551-7659; fax (913) 551-7145. To register for a class contact: Training Registrar; (513) 251-7776; fax (513) 251-4137.

U.S. EPA Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Training. U.S. EPA's CERCLA Education Center (CEC) will offer the following courses in upcoming months:

- Transportation and Disposal **14-15 September 1999** (Kansas City, KS)
- Federal Facilities Remediation **22-24 September 1999** (San Francisco, CA)
- Federal Facilities Remediation **26-28 October 1999** (Washington, DC)

Additional CEC course information is available at U.S. EPA's Training Exchange web site at <http://www.trainex.org/>. For further information contact: U.S. EPA; Technology Innovation Office, CEC; (703) 603-9910; fax (301) 589-8487.

Kansas and Missouri Environmental Compliance Review and Update. The Government Institutes Division (GID) of ABS Group, Inc., will be hosting the Kansas and Missouri Environmental Compliance Review and Update on **2 November 1999** at the Wyndham Garden Hotel in Overland Park, Kansas. Topics covered by the course will include compliance with the major Kansas and Missouri state environmental laws and regulations; protection from liabilities and lawsuits; state and Region VII enforcement priorities and strategies; and the latest developments in air, water, and hazardous waste requirements for facilities operating in Kansas and Missouri. For further information contact: GID; (301) 921-2345; fax (301) 921-0373; e-mail: giinfo@govinst.com.

WasteWise Buy Recycled Satellite Forum. On **9 November 1999**, from 11:00 a.m. to 1:00 p.m. (Eastern time), the WasteWise program will present a national satellite forum entitled "Buying Recycled: The Real Story About Cost, Availability, and Quality." This free, interactive program is designed to provide businesses, governments, and other organizations with insights on ways to purchase quality, competitively-priced recycled products. This forum is being presented by U.S. EPA's WasteWise program and the Buy Recycled Business Alliance (BRBA), a partnership of the National Recycling Coalition. The forum will feature Richard Keller, a nationally recognized trainer on buying recycled products with Maryland Environmental Service, and representatives from both the WasteWise and BRBA programs. The satellite program will provide viewers with tips on reviewing product specifications and testing procedures, identifying cost-competitive quality products with recycled content, setting up cooperative purchasing, and exploring the feasibility of closed-loop systems. Viewers will also have the opportunity to call in with questions. For more information about the satellite forum, visit U.S. EPA's web site at <http://www.epa.gov/wastewise/wwsf/>.

CONFERENCES and SEMINARS

SEPTEMBER 1999

10th Anniversary Annual International Workshop on Solvent Substitutions and Eliminating Toxic Substance and Emissions. The Aerospace Industries Association and Exchange Monitor Publications and Forums are co-sponsoring a solvent substitution workshop on **13-16 September 1999** at the Radisson Scottsdale Conference Center in Scottsdale, Arizona. The theme of this year's conference is "A Critical Assessment of Current Alternatives...Looking Ahead to Environmental Actions of the Millennium." Mr. Gary Vest, Principal Assistant Deputy Under Secretary of Defense (Environmental Security) will be the keynote speaker. *For additional information contact: Conference Management Associates, Inc.; (703) 754-0066; fax (703) 754-4261.*

1999 National Recycling Congress and Exposition. The 1999 National Recycling Congress and Exposition will be held **27-29 September 1999** in Cincinnati, Ohio. The "Federal Track" of the 1999 conference will represent a cross-section of all federal agencies. Each agency will have the opportunity to share success stories and lessons learned with representatives from the other agencies. Last year, for example, representatives of civilian and military facilities provided presentations on affirmative procurement, recycling programs, using federal purchasing to create markets for recovered materials, recycling of electronics and other non-traditional materials, the new Greening the Government Executive Order, and America Recycles Day. *For further information contact: Dana Arnold, Executive Steering Committee; (202) 260-1297; fax (202) 401-9503; e-mail: arnold.dana@epamail.epa.gov.*

Army Pest Management Quality Assurance Evaluator (PMQAE)/Installation Pest Management Coordinator (IPMC) Workshop. The Army Medical Department Center and School (AMEDD C&S) and USAEC collaborated to offer a workshop to meet new Army and DoD training requirements for PMQAEs and IPMCs. A second workshop will be offered **27 September–1 October 1999** at USAEC facilities, Aberdeen Proving Ground, Maryland. The classroom curriculum for this workshop incorporates recommendations from initial workshop participants and promises to meet training needs of Army PMQAE and IPMC personnel even more effectively than before. The number of slots for this workshop is limited and major Army commands have been allocated attendance quotas. *Candidate workshop attendees should contact the AMEDD C&S staff for assistance at (210) 221-6801/7682/8261; DSN 471-6801/7682/8261.*

1999 Kansas Environmental Conference. The Kansas Department of Health and Environment (KDHE) will be hosting its 1999 Environmental Conference, "Kansas Environment: Future Directions," on **29-30 September 1999** at the Wichita Marriott Hotel in Wichita, Kansas. The format this year will include 20 different 50-minute sessions and 8 two-hour seminars. The keynote address will be provided by Dr. Peter Bishop, a "futurist" from the University of Houston. Following Dr. Bishop will be a series of concurrent sessions including topics regarding water issues (TDML, water quality standards, new regulations, wetlands), P2 case studies (businesses with successful P2 programs), financial resources, voluntary programs for communities, harnessing solar and wind power, and a wide variety of other topics. Seminar topics include environmental ethics, "Air Quality 101," "Hazardous Waste 101," and new technologies for the next century. The 1999 P2 Awards will be presented at a luncheon on 29 September. *For further information check the KDHE web site at <http://www.kdhe.state.ks.us/befs/conference.html> or call 1(800) 357-6087.*

OCTOBER 1999

Kansas City Metropolitan Green Purchasing Vendor Fair and Workshop. The Kansas City Metropolitan Green Purchasing Fair and Workshop will be held **15 October 1999** at the Downtown Kansas City Airport Rotunda. The event will showcase recycled and environmentally preferable products. It will also include two workshops presented by the Kansas State University Institute of Pollution Prevention – one on life cycle costing and the other on environmentally preferable products. *For further information contact: Peter Shemitz; (816) 871-3062; e-mail: Peter.Shemitz@kcmo.org.*

BioCycle Conference. The BioCycle Conference, "Waste Management for the Millennium," will be held **25-27 October 1999** at the Crown Plaza Five Seasons Hotel in Cedar Rapids, Iowa. The conference will be held in conjunction with U.S. Navy's Best Manufacturing Practices and the Iowa Recycling Association. *For more information, send an e-mail request to biocycle@igpress.com.*

Environment and Property Transfer Conference. The U.S. General Services Administration's (GSA) Office of Property Disposal will host the Environment and Property Transfer Conference on **26 October 1999** at the Holiday Inn Rosslyn Hotel in Arlington, Virginia. The conference will focus on environmental laws and regulations applicable to GSA's real property acceptance and disposal process. It will include a discussion of compliance with laws such as CERCLA, the National Environmental Policy Act, and the National Historic Preservation Act. GSA will also discuss its experience using CERCLA's early transfer authority to expedite the disposal of contaminated properties. *For further information contact: Ms. Cari Garbiso; Tetra Tech EM Inc.; (703) 390-0609.*

Region VII Pollution Prevention (P2) Roundtable. The Region VII P2 Roundtable will be held **27-28 October 1999** at the Crown Plaza Five Seasons Hotel in Cedar Rapids, Iowa. *For further information contact: John Atkinson; (816) 882-8880; fax (816) 882-7584; e-mail: atkinsonj@missouri.edu.*

NOVEMBER 1999

U.S. EPA Innovative Clean-Up Approaches Conference. The U.S. EPA Office of Research and Development (ORD) and Technology Innovation Office (TIO) are jointly sponsoring the Innovative Clean-Up Approaches Conference on **2-4 November 1999** at the Indian Lakes Resort in Bloomingdale, Illinois (Chicago Metropolitan Area). The conference theme is "Investments in Technology Development, Results and Outlook for the Future." Through a number of legislative programs and special initiatives, U.S. EPA has invested in the development and implementation of characterization and treatment technologies for hazardous waste site remediation. The Agency has also sponsored and promoted the development, demonstration and commercialization of technologies, both directly and with a number of partners in other federal agencies, academia, and the private sector. The conference will provide an opportunity for stakeholders and partners to share the most recent information about the status of these efforts, evaluate success of past efforts, and discuss future research and information needs. Additional conference information, including the conference program and online registration, is available on U.S. EPA's home page at <http://www.epa.gov/ttnrmrl/>.

The Missouri River Voyage of Recovery Conference. American Rivers will sponsor a two-day conference on **8-9 November 1999** in St. Charles, Missouri (near St. Louis), to link communities preparing for the Lewis and Clark bicentennial with national experts on riverfront revitalization, wildlife habitat restoration, and historic preservation. The conference will also highlight restoration and riverfront revitalization efforts near St. Louis and in other riverside communities, introduce a new Lewis and Clark curriculum to area educators, and create national awareness of local and regional efforts to repair the Missouri River. Highlights of the conference will include comments by Lewis and Clark Historian Stephen Ambrose on the opportunity created by the bicentennial, and the premiere of a Missouri River documentary by the History Channel. Full registration materials for the conference will be available in mid-August. If you would like to receive a registration packet, please e-mail your name, address, and phone number to Kelly Miller at kmiller@amrivers.org. Conference information is also available on the World Wide Web at <http://www.americanrivers.org/missouri-conf.html>. *For further information contact: American Rivers; (202) 347-7550; fax (202) 347-9240.*

1999 Theis Conference. The 1999 Theis Conference, "Remediation of Subsurface Contaminants: The Meaning and Measures of Success," will be presented **12-15 November 1999** at Amelia Island, Florida. The conference is sponsored by the National Ground Water Association (NGWA)/Association of Ground Water Scientists and Engineers (AGWSE). The Theis conference series was established by the AGWSE in 1993 as an important effort in the promotion of hydrogeology. The 1999 conference program will include presentations by invited speakers and interactive discussion sessions surrounding three major themes:

- *Defining and Rationalizing Goals for Success*—The role of science in identifying reasonably attainable goals in the broader discussion of cost versus benefit.
- *Measuring Success*—Approaches and methods of assessing success in the application of subsurface remediation technologies and realistic prognosis for predicting performance.
- *Communicating Success*—An exploration of the ways the results of research and "real-site" technology applications are communicated to the scientific community, industry, and the public.

Conference information is available on the Internet at <http://www.ngwa.org/education/theis.html>. *For further information contact: NGWA; (614) 898-7791; toll free (800) 551-7379; fax (614) 898-7786; e-mail: ngwa@ngwa.org.*

1999 DoD Maintenance Symposium. The 1999 DoD Maintenance Symposium and Exhibition will be held **15-18 November 1999** at the Regal Riverfront Hotel in St. Louis, Missouri. The theme for this year's symposium, which is co-sponsored by the National Defense Industrial Association (NDIA), is "Transforming Maintenance with Technology." This third annual conference is the single opportunity for the entire DoD maintenance community to

come together to share information and focus on weapons system and equipment maintenance. Maintenance managers, both military and civilian, from all ranks and Services will be in attendance. They represent the full range of DoD's maintenance operations, including depots, operating commands and units, and research and development activities, along with their commercial industry counterparts. Senior Defense officials and congressional representatives will also attend and participate in the conference. In addition, the DoD Maintenance Awards will be presented to outstanding maintenance units at a special awards banquet held during the symposium. *For more information contact: Angie De Kleine; NDIA; fax (703) 522-1885; e-mail: adekleine@ndia.org.*

1999 National Pollution Prevention Roundtable (NPPR) Annual Fall Workgroup Conference. The NPPR's fourth annual Fall Workgroup Conference will take place **17-19 November 1999** at the La Fonda Hotel in Santa Fe, New Mexico. The workgroup conference offers NPPR members the opportunity to formulate strategies and address P2 challenges within intimate and interactive sessions, including three plenary sessions and ample breakout time. The Thursday morning plenary will focus on where the P2 movement is headed, and as in years past, the conference will conclude with an information sharing from workgroups on their activities and from the NPPR Board outlining its plans for the coming year. The NPPR is the largest membership association in the United States dedicated solely to the reduction of pollutants at the source. *For further information contact: NPPR; (202) 466-3908.*

Technical Symposium and Workshop. The Strategic Environmental Research and Development Program (SERDP) and the Environmental Security Technology Certification Program (ESTCP) will sponsor the Technical Symposium and Workshop, which will be held **30 November—2 December 1999** at the Hyatt Regency Crystal City Hotel in Arlington, Virginia. The symposium will provide the opportunity for networking with more than 500 expected attendees, most notably, leading researchers, regulators, and technology end-users from the environmental community, including government, academia, and private industry. This year's technical program will feature comprehensive sessions that will address cleanup technologies to mitigate the current and future impacts of past activities through remediation; compliance technologies to reduce the impact of current activities; conservation technologies to preserve natural resources while sustaining military operations; and pollution prevention technologies to reduce or eliminate environmental impacts in defense manufacturing through substitution, recycling, and resource conservation. *For updated symposium information, visit the SERDP web site at <http://www.serdp.org/> or the ESTCP web site at <http://www.estcp.org/>, or call (703) 736-4548.*

DECEMBER 1999

4th Annual Joint Services P2/Hazardous Waste Management (HWM) Conference & Exhibition. The Fourth Annual Joint Services P2 Conference and Exhibition, "Environmental Stewardship for the Next Millennium," will be held **6-9 December 1999** in San Antonio, Texas. This year's event, which is being expanded to include HWM, will provide an open forum for exchanging ideas, success stories, case histories and technologies. The conference will cross federal, academia and industry boundary lines—opening channels for a combined effort to implement the essential P2/HWM objectives. The Joint Services Conference will be hosted by the Headquarters Air Force Center for Environmental Excellence, Brooks Air Force Base, Texas. Additional information on the conference is available on the Internet at <http://www.ndia.org/events/brochure/040/040.htm>.

FEDERAL ACTIONS

LEGISLATIVE ACTIVITY

Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (Public Law 106-40). On 5 August 1999, President Clinton signed the Chemical Safety Information, Site Security and Fuels Regulatory Relief Act, which sets new requirements for reporting and disseminating information under Section 112(r) of the CAA. Specifically, the law: (1) prohibits U.S. EPA from listing a flammable substance when used as fuel or held for sale as a fuel solely because of its explosive or flammable properties, unless a fire or an explosion caused by the substance would result in acute adverse health effects due to human exposure other than those caused by the heat of the fire or impact of the explosion; and (2) prohibits the dissemination of offsite consequence analysis data under federal freedom of information provisions for one year from the Act's enactment date, during which time the President, the U.S. EPA Administrator, and other entities must perform various activities to determine appropriate means for its dissemination. A copy and summary of the Act can be obtained from the Chemical Emergency Preparedness and Prevention Office web site at <http://www.epa.gov/swercepp/whatnew.html>. *For further information contact: The Emergency Planning and Community Right-to-Know Act (EPCRA) Hotline; (800) 424-9346 or (703) 412-9810.*

REGULATORY ACTIVITY -- U.S. ARMY CORPS OF ENGINEERS (USACE)

USACE Notice: Proposal to Issue and Modify Nationwide Permits (NWP) (64 FR 39251). The USACE is proposing to issue five new NWPs and modify six existing NWPs to replace NWP 26 when it expires. The USACE is also proposing to modify nine NWP general conditions and add three new general conditions. These general conditions will apply to the proposed new and modified NWPs, as well as the NWPs issued on 13 December 1996, when the new and modified NWPs become effective. The proposed new NWPs are activity-specific and authorize activities in all non-tidal waters of the United States, except for non-tidal wetlands adjacent to tidal waters. The purpose of this notice is to solicit comments on the final draft of the proposed new and modified NWPs that will replace NWP 26, as well as the NWP general conditions and definitions. Although NWP 26 was scheduled to expire on 15 September 1999, the USACE has extended the expiration date to 30 December 1999, or until the effective date of the new and modified NWPs, whichever comes first. Comments on the proposed new and modified NWPs must be received by 7 September 1999. *For further information contact: David Olson or Sam Collinson; USACE; (202) 761-0199.*

REGULATORY ACTIVITY -- U.S. ENVIRONMENTAL PROTECTION AGENCY

U.S. EPA Direct Final Rule; Proposed Rule: NESHAPs; Halogenated Solvent Cleaning (64 FR 45187/45221). On 2 December 1994, U.S. EPA issued the "NESHAPs; Halogenated Solvent Cleaning" (59 FR 61801). This direct final rule offers compliance options for continuous web cleaning machines, as well as amendments to the NESHAPs that apply to steam-heated vapor cleaning machines and to cleaning machines used to clean transformers. U.S. EPA is approving these amendments to ensure that all owners or operators of solvent cleaning machines have appropriate and attainable requirements for their cleaning machines. This direct final rule will be effective 18 October 1999 without further notice, unless U.S. EPA receives adverse comments by 20 September 1999. If adverse comment is received, a timely withdrawal of this direct final rule will be published in the Federal Register. *For further information contact: Paul Almodovar; U.S. EPA, Emission Standards Division; (919) 541-0283.*

U.S. EPA Final Rule: Lead; Requirements for Lead-Based Paint (LBP) Activities in Target Housing and Child-Occupied Facilities; Certification Requirements and Work Practice Standards for Individuals and Firms; Amendment (64 FR 42849). U.S. EPA is amending the procedural requirements for training and certification of workers involved in LBP activities in target housing and child-occupied facilities by extending the effective dates for certification of individuals and firms and use of work practice standards that are contained in the final regulations promulgated under Section 402 of the Toxic Substances Control Act (TSCA). To allow for successful implementation of the federal program, U.S. EPA is extending the effective dates for certification and work practice standards from 30 August 1999 to 1 March 2000. This action is effective 6 August 1999. *For further information contact: Ellie Clark; U.S. EPA, Office of Pollution Prevention and Toxics; (202) 260-3402; fax (9202) 260-0770; e-mail: clark.ellie@epa.gov.*

U.S. EPA Proposed Rule: Lead and Lead Compounds; Lowering of Reporting Thresholds; Community Right-to-Know Toxic Chemical Release Reporting (64 FR 42221). U.S. EPA is proposing to lower the reporting thresholds for lead and lead compounds that are subject to reporting under Section 313 of EPCRA and Section 6607 of the Pollution Prevention Act. U.S. EPA believes that lead and lead compounds are persistent, bioaccumulative toxic chemicals that warrant lower reporting thresholds than those currently established under EPCRA Section 313. This proposed action also includes a limitation on the reporting of lead when contained in certain alloys and proposed modifications to certain reporting exemptions and requirements for lead and lead compounds. Comments must be received on or before 17 September 1999. *For further information contact: Daniel Bushman, Petitions Coordinator; U.S. EPA; (202) 260-3882; e-mail: bushman.daniel@epamail.epa.gov. (Editor's Note: Potentially affected facilities include federal facilities that manufacture, process, or use lead or lead compounds; or burn coal or petroleum products.)*

U.S. EPA Notice: National Air Toxics Program: The Integrated Urban Strategy (64 FR 38705). U.S. EPA is announcing the availability of a document that provides an overview of U.S. EPA's national effort to reduce air toxics, including stationary and mobile source standards, cumulative risk initiatives, assessment approaches, and education and outreach. The national air toxics program includes activities under multiple CAA authorities to reduce air toxics emissions from all sources, including major industrial sources, smaller stationary sources, and mobile sources such as cars and trucks. In addition, the document describes a new major component of our national effort, the Integrated Urban Air Toxics Strategy developed under the authority of Sections 112(k) and 112(c)(3) of the CAA. The Strategy reflects the public comments received on the draft Strategy, which was published on 14 September 1998 (63 FR

49240). The Strategy includes a description of risk reduction goals; a list of 33 hazardous air pollutants (HAPs) judged to pose the greatest potential threat to public health in the largest number of urban areas; and a list of area source categories, which emit a substantial portion of these HAPs, and which are being considered for regulation under Section 112(d). *For further information contact: Laura McKelvey; U.S. EPA, Office of Air Quality Planning and Standards; (919) 541-5497.*

U.S. EPA Notice: Data Availability; Effluent Limitations Guidelines, Pretreatment Standards and New Source Performance Standards (NSPSs) for the Transportation Equipment Cleaning Point Source Category (64 FR 38863). On 25 June 1998 (63 FR 34685), U.S. EPA proposed technology-based effluent limitations guidelines, pretreatment standards, and NSPSs for the discharge of pollutants into waters of the United States and into POTWs by existing and new facilities that perform transportation equipment cleaning (TEC) operations. TEC facilities are defined as facilities that generate wastewater from cleaning the interior of tank trucks, closed-top hopper trucks, rail tank cars, closed-top hopper rail cars, intermodal tanks containers, inland tank barges, closed-top hopper barges, ocean/sea tankers, and other similar tanks (excluding drums and intermediate bulk containers) used to transport materials or cargos that come into direct contact with the tank or contained interior. This notice presents a summary of data received in comments since the proposal and an assessment of the usefulness of the data in U.S. EPA's analyses; presents a change from the mass-based limits format of the proposal; presents a modified subcategorization approach; reviews technology options considered for regulation; and discusses other specific issues raised by commenters. Comments must be submitted by 20 September 1999. *For further information contact: John Tinger; U.S. EPA, Engineering and Analysis Division; (202) 260-4992.*

U.S. EPA Notice: Potential Revisions to the Land Disposal Restrictions Mercury Treatment Standards; Extension of Comment Period (64 FR 40534). On 28 May 1999 (64 FR 28949), U.S. EPA issued an Advance Notice of Proposed Rulemaking (ANPRM) presenting potential revisions to the 40 CFR Part 268 Land Disposal Restrictions treatment standards applicable to mercury-bearing hazardous wastes. The ANPRM requested comment on U.S. EPA's waste generation and treatment data for mercury-bearing waste, as well as on technical and policy issues regarding mercury waste treatment, and potential avenues by which current mercury treatment standards might be revised. U.S. EPA is extending the comment period because several commenters have requested more time to address U.S. EPA's potential revisions to the mercury-bearing hazardous waste regulations. This notice extends the comment period from the original closing date of 27 July 1999 to 25 October 1999. *For further information contact: Rita Chow or Josh Lewis; U.S. EPA, Office of Solid Waste; (703) 308-6158 or (703) 308-7877, respectively.*

U.S. EPA Notice: Accidental Release Prevention Requirements: Risk Management Programs Under Section 112(r)(7) of the CAA; Confidential Business Information (64 FR 41111). U.S. EPA is informing submitters of risk management plans (RMPs) containing information claimed or designated as confidential business information that it will be distributing RMPs, including the confidential information they may contain, to another federal agency, the Chemical Safety and Hazard Investigation Board (CSHIB), according to the requirements of 40 CFR 2.209(c). RMPs will be distributed to the CSHIB ten days after the 29 July 1999 publication of this document in the Federal Register. *For further information contact: Dorothy McManus; U.S. EPA, Chemical Emergency Preparedness and Prevention Office; (202) 260-8606.*

REGULATORY ACTIVITY -- U.S. FISH AND WILDLIFE SERVICE (USFWS)

USFWS Proposed Rule: Endangered and Threatened Wildlife and Plants; Proposed Rule to List the Scaleshell Mussel as Endangered (64 FR 44171). The USFWS is proposing endangered status, pursuant to the Endangered Species Act (ESA), for the scaleshell mussel (*Leptodea leptodon*). This species is currently known from a few scattered populations within the Mississippi River Basin in **Arkansas, Missouri, and Oklahoma**. Scaleshell inhabits medium-sized to large rivers with stable channels and good water quality. The abundance and distribution of scaleshell have decreased due to habitat loss and adverse effects associated with water quality degradation, reservoir construction, sedimentation, channelization, and dredging. These habitat changes have resulted in significant extirpations, restricted and fragmented distributions, and poor recruitment. Requests for public hearings must be received by 27 September 1999, and comments must be received on or before 12 October 1999. *For further information contact: Andy Roberts; USFWS, Columbia Field Office; (573) 876-1911, Ext. 110. (Editor's Note: The current distribution of the scaleshell mussel occurs in the Middle and Lower Basins of the Mississippi River. In the Middle Basin, five rivers/tributaries in Missouri may support populations. In the Lower Basin, as many as 14 rivers/tributaries in Arkansas, Missouri, and Oklahoma may support populations. Army installations that may be affected by this proposed rule include the St. Louis Army Ammunition Plant [Meramec River], Ft. Leonard Wood [Gasconade and Big Pinney Rivers], and Ft. Chaffee [Frog Bayou].)*

KEY ENVIRONMENTAL COMPLIANCE DATES

5 Sep	Deadline for owners and operators of sources subject to NESHAPs under 40 CFR Part 63, Subpart U for group I polymer and resin sources to comply with standards under that subpart unless granted an extension under 40 CFR 63.481(e); notification of compliance status must be submitted within 150 operating days.	CAA: 40 CFR 63.481(c)	61 FR 46928; 9/5/96 as amended by 62 FR 12549; 3/17/97 and 62 FR 37721; 7/15/97
5 Sep	Deadline for owners and operators of sources subject to NESHAPs under 40 CFR Part 63, Subpart U for group I polymer and resin sources to comply with heat exchange system provisions under 40 CFR 63.104, Subpart F.	CAA: 40 CFR 63.481(d)(6)	62 FR 1838; 1/14/97 as amended by 62 FR 37721; 7/15/97
6 Sep	Deadline for owners and operators of sources subject to NESHAPs under 40 CFR Part 63, Subpart U for group I polymer and resin sources to comply with compressor provisions under 40 CFR 63.164, Subpart H, for compressors meeting one or more of the criteria outlined under 40 CFR 63.481(d)(4)(i)-(iii).	CAA: 40 CFR 63.481(d)(4)	61 FR 46928; 9/5/96 as amended by 62 FR 12549; 3/17/97 and 62 FR 37721; 7/15/97
6 Sep	Deadline for owners and operators of sources subject to NESHAPs under 40 CFR Part 63, Subpart U for group I polymer and resin sources to comply with surge control vessel and bottoms receiver provisions under 40 CFR 63.170, Subpart H.	CAA: 40 CFR 63.481(d)(5)	61 FR 46928; 9/5/96 as amended by 62 FR 12549; 3/17/97 and 62 FR 37721; 7/15/97
12 Sep	Deadline for owners and operators of new sources subject to NESHAPs for hazardous air pollutants for the group IV polymers and resins source category detailed under 40 CFR Part 63, Subpart JJJ, and whose primary product is polyethylene terephthalate (PET), to be in compliance with 40 CFR 63.1331. Existing sources must be in compliance by this date or upon initial startup, whichever is later.	CAA: 40 CFR 63.1311(b), 63.1311(d)(6)	62 FR 30995; 6/6/97 as amended by 63 FR 9945; 2/27/98
12 Sep	Deadline for owners and operators of existing sources subject to NESHAPs for hazardous air pollutants for the group IV polymers and resins source category detailed under 40 CFR Part 63, Subpart JJJ, to be in compliance with standards under that subpart unless granted an extension under 40 CFR 63.1311(e). Notification of compliance status is due within 150 operating days.	CAA: 40 CFR 63.1311(c)	61 FR 48233; 9/12/96 as amended by 62 FR 37721; 7/15/97 and 63 FR 15315; 3/31/98
13 Sep	Deadline for owners and operators of sources subject to NESHAPs for hazardous air pollutants for the group IV polymers and resins source category to be in compliance with compressor provisions established under 40 CFR 63.164. Notification of compliance status is due within 150 operating days.	CAA: 40 CFR 63.1311(b)(3)	61 FR 48234; 9/12/96 as amended by 62 FR 37721; 7/15/97

REGION VI STATE ACTIVITY

ARKANSAS

Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2001.)

STATE PROPOSED RULES

Boiler Safety. Proposed rule would amend regulations of the Arkansas Department of Labor (ADL) regarding the manufacture, use, and inspection of steam boilers, hot water heating boilers, hot water supply, and unfired pressure vessels. The proposal would incorporate recent changes to the state boiler safety law. *For further information contact: ADL; (501) 682-4513.*

(NOTE: General information regarding the Arkansas Department of Environmental Quality (ADEQ) and its various programs, including access to draft and final regulations, is available on the Department's web site at <http://www.adeq.state.ar.us/>.)

LOUISIANA

Legislative/Regulatory Activity

FEDERAL ACTIONS

U.S. EPA Interim Final Rule: Approval and Promulgation of Air Quality State Implementation Plans (SIPs); Interim Final Determination That Louisiana Continues to Correct the Deficiencies of its Enhanced Inspection and Maintenance (I/M) SIP Revision (64 FR 45454). Previously U.S. EPA published a proposed rulemaking (30 December 1998, 63 FR 71897) to conditionally approve the State of Louisiana's SIP revision concerning a low-enhanced motor vehicle I/M program under Section 110 of the CAA. Based on the proposed approval, U.S. EPA is making an interim final determination that the State has more likely than not cured the deficiencies prompting the original disapproval (19 November 1997, 62 FR 61633) of the Louisiana enhanced I/M SIP revision. This action will defer the future application of the offset sanction and the highway sanction. Comments must be received on or before 20 September 1999. This interim final rule is effective 10 August 1999. *For further information contact: Ms. Sandra Rennie; U.S. EPA Region VI, Air Planning Section; (214) 665-7367.*

STATE LEGISLATIVE ACTIVITY (Next regular session begins in April 2000.)

STATE EMERGENCY RULES

Privately Owned Sewage Treatment Facilities (25 LAR 1206-9). Emergency rule of the Louisiana Department of Environmental Quality (LDEQ), Office of Environmental Assessment, amends regulations under 33 LAC IX.2331, .2381, .2383, .2385, .2769, and .2801 through .2809 regarding privately owned sewage treatment systems. The rule establishes the forms and amount of financial security required for various types and sizes of facilities. The rule was effective 1 July 1999 and expires 29 October 1999, or upon adoption as a final rule, whichever occurs first. *For further information contact: LDEQ, Regulation Development Section; (225) 765-0399.*

STATE FINAL RULES

Toxic Air Pollutants (25 LAR 1237-9). Final rule of the LDEQ, Office of Air Quality and Radiation Protection (OAQRP), amends regulations under 33 LAC III.5112 to update the ambient air standards of 12 toxic air pollutants to reflect recently published values. The rule was effective 20 July 1999. *For further information contact: Patsy Deaville; LDEQ, Investigations and Regulation Development Division (IRDD); (225) 765-0399. (Regional Counsel Comment: These standards are principally for 10 Class II compounds, but include ethylene glycol, which is a Class III compound.)*

NSPS/Stationary Sources (25 LAR 1239-40). Final rule of the LDEQ, OAQRP, amends regulations under 33 LAC III.3003 regarding emission guidelines for NSPSs for stationary sources to incorporate by reference federal standards under 40 CFR 60 as revised 1 July 1998. The rule also includes a table to specify applicability. The rule was effective 20 July 1999. *For further information contact: Patsy Deaville; LDEQ, IRDD; (225) 765-0399.*

Organic Solvents/Surface Coating Facilities (25 LAR 1240). Final rule of the LDEQ, OAQRP, amends regulations under 33 LAC III.2123 regarding organic solvents. The rule makes a technical correction regarding exemptions on emissions of volatile organic compounds (VOCs) for surface coating facilities in attainment and nonattainment areas and updates references. The rule was effective 20 July 1999. *For further information contact: Patsy Deaville; LDEQ, IRDD; (225) 765-0399.*

(NOTE: Current regulatory information from the LDEQ, including notices of intent, emergency rules, and final rules, can be found on LDEQ's web site at <http://www.deq.state.la.us/>. Click on "Rules and Regulations" and "Additions to the Louisiana Register.")

FEDERAL ACTIONS

USFWS Proposed Rule: Endangered and Threatened Wildlife and Plants; Withdrawal of Proposed Rule to List the Plant *Rumex Orthoneurus* (Chiricahua Dock) as Threatened (64 FR 43132). The USFWS is withdrawing the proposed rule to list the plant *Rumex orthoneurus* (Chiricahua dock or Blumer's dock) as a threatened species under the ESA. The USFWS finds that the available information does not support the listing of this species as threatened. Although threats to some populations of this plant may persist, these threats are not sufficiently widespread to pose a significant risk within the foreseeable future. *Rumex orthoneurus* is distributed in areas scattered throughout Arizona, **New Mexico**, and Mexico. In New Mexico, the plant is present on the Santa Fe, Lincoln, Gila, and Carson National Forests. *For further information contact: Dave Harlow, Field Supervisor; Arizona Ecological Services Field Office; (602) 640-2720, Ext. 244; fax (602) 640-2730.*

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2000.)

(NOTE: General information regarding the New Mexico Environment Department (NMED) and its various programs, including regulations and permitting, is available on NMED's web site at <http://www.nmenv.state.nm.us/frhome.html>.)

OKLAHOMA

Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in February 2000.)

STATE PROPOSED RULES

Hospital, Medical, and Infectious Waste Incinerators (HMIWIs) (16 OKR 3267). Proposed rule of the Oklahoma Department of Environmental Quality (ODEQ), Air Quality Division (AQD), would adopt regulations under a new Part OAC 252:100-17-7 and Appendix M to establish state emission standards and other enforceable requirements for existing HMIWIs. The proposal would incorporate by reference NSPSs for HMIWIs under 40 CFR 60, Subpart Ec. The proposal also would set forth emission limits and establish requirements for HMIWI operator training and qualification, waste management plans, and testing and monitoring of pollutants and operating parameters. The first hearing was scheduled for 17 August 1999 in Oklahoma City and a second hearing is scheduled for 28 September 1999 in Braman. *For further information contact: Cheryl Bradley; ODEQ, AQD; (405) 702-4100. (Regional Counsel Comment: The purpose of this rule is to adopt federal CFR requirements. As such, the proposed rule would apply to military installations (only Fort Sill should be affected) located in Oklahoma. The initial deadline for this regulation would be 19 March 2000 for submission of a Title V permit application. Procedurally, the rule is both an emergency and permanent rule. As such, the emergency rule should be approved by the Governor on 23 November 1999.)*

Emission Standards (16 OKR 3357-8). Proposed rule of the ODEQ would amend air pollution control regulations under OAC 252:100-9, -19, -27, and -35; repeal regulations under OAC 252:100-21; and repeal and readopt regulations under OAC 252:100, Appendices C and D, concerning particulate matter emission standards and reporting requirements. The proposal would make editorial corrections, delete redundant language, set forth requirements pursuant to a specified agency initiative, and redefine the scope of the provisions to minor facilities only. The proposal also would update requirements for excess emissions from specified sources; revise provisions governing particulate matter emissions from fuel-burning equipment, industrial and other processes, and wood-waste burning equipment; update requirements for specific sources that are primary contributors of carbon monoxide emissions; and add definitions for "existing source" and "new source." The first hearing was scheduled for 24 August 1999 in Oklahoma City, and a second hearing is scheduled for 28 September 1999 in Braman. *For further information contact: Myrna Bruce; ODEQ, AQD; (405) 702-4177. (Regional Counsel Comment: These proposed state emission standards are identical to U.S. EPA's standards for the identified processes.)*

(NOTE: General information regarding the ODEQ and its various programs, including access to rules and regulations, is available on ODEQ's web site at <http://www.deq.state.ok.us/>.)

FEDERAL ACTIONS

U.S. EPA Immediate Final Rule; Proposed Rule: Hazardous Waste Management Program; Final Authorization of State Hazardous Waste Management Program Revisions for State of Texas (64 FR 44836/44876). The State of Texas has applied for final authorization to revise its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). U.S. EPA has determined that these changes satisfy all requirements needed to qualify for final authorization. U.S. EPA reviewed Texas's application and now makes an immediate final decision, subject to receipt of adverse written comment, that Texas's Hazardous Waste Program revision satisfies all of the requirements necessary to qualify for final authorization. Consequently, U.S. EPA intends to grant Texas final authorization for the program modifications contained in the revision. This action is effective 18 October 1999 without further notice, unless U.S. EPA receives relevant adverse comments by 17 September 1999. If adverse comments are received, U.S. EPA will publish a timely withdrawal of the immediate final rule or identify the issues raised, respond to the comments, and affirm that the immediate final rule will take effect as scheduled. *For further information contact: Alima Patterson; U.S. EPA Region VI, Multimedia Planning and Permitting Division; (214) 665-8533.*

U.S. EPA Notice: Lead; Requirements for LBP Activities in Target Housing and Child-Occupied Facilities; State of Texas's Authorization Application; Correction (64 FR 41935). In the 16 April 1999 Federal Register (64 FR 18906), U.S. EPA announced that the State of Texas had submitted an application for U.S. EPA approval to administer and enforce training and certification requirements, training program accreditation requirements, and work practice standards for LBP activities in target housing and child-occupied facilities under TSCA. That document incorrectly listed a certification requirement. This notice corrects that error. In FR Doc. 99-9607, on page 18907, third column, first full paragraph, the second sentence, which reads "The appropriate certification exam must be taken every 3 years for certain disciplines." Is hereby removed. *For further information contact: Jeffrey Robinson, Regional Lead Coordinator; U.S. EPA Region VI; (214) 665-7577; e-mail: robinson.jeffrey@epamail.epa.gov.*

USFWS Notice: Endangered and Threatened Wildlife and Plants; Notice of 90-Day Finding on Petition to Delist the Concho Water Snake (64 FR 41903). The USFWS is announcing a 90-day finding for a petition to delist the Concho water snake (*Nerodia paucimaculata*) under the ESA. **The USFWS finds that the petitioner, the Colorado River Municipal Water District, did not present substantial information indicating that delisting this species may be warranted.** The finding was made on 13 July 1999. The Concho water snake is endemic to the Concho and Colorado Rivers in Runnels, Tom Green, Concho, McCulloch, Coleman, Brown, Mills, San Saba, Irion, Lampasas, and Coke Counties, **Texas**. *For further information contact: Patrick Connor, Biologist; USFWS, Ecological Services; (512) 490-0057, Ext. 227. (Editor's Note: There is no impact to Army installations. The counties in which the Concho water snake is endemic are not within Army lands.)*

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2001.)

STATE FINAL RULES

Gasoline Volatility/Sulfur Content (24 TXR 5474-88). Final rule of the Texas Department of Environmental Quality (TDEQ), TNRCC, amends regulations under 30 TAC 114.1 and adopts regulations under new Sections 30 TAC 114.301, .302, .305, .306, .307, .308, and .309 regarding requirements for gasoline volatility and sulfur content. The rule controls ground-level ozone in attainment and near-nonattainment areas and ozone nonattainment areas, implements the cleaner burning gasoline option of the Texas Clean Air Strategy, and requires cleaner gasoline in 110 counties. The rule was effective 21 July 1999. *For further information contact: Bill Jordan; TDEQ, Air Policy and Regulation Division (APRD); (512) 239-2583.*

VOCs/Ground-Level Ozone (24 TXR 5488-522, 5554-8). Final rule of the TNRCC amends regulations under 30 TAC 115.10 through .239 (nonconsecutive) regarding the control of air pollution from VOCs. The rule revises the SIP to control ground-level ozone in ozone near-nonattainment and nonattainment areas. The rule also implements the Stage I vapor recovery option of the Texas Clean Air Strategy; outlines requirements for gasoline terminals in 16 ozone nonattainment counties; and extends the existing Stage I vapor recovery, gasoline terminal, gasoline bulk plant, and gasoline tank-truck leak testing requirements to 95 counties in the eastern half of the state. In addition, the rule adds and deletes definitions. The rule was effective 21 July 1999. *For further information contact: Bill Jordan; TNRCC, APRD; (512) 239-2583.*

Public Notice for Hazardous Waste Facility Permits (24 TXR 5872-3). Final rule of the TNRCC amends regulations under 30 TAC 39.13 and .103 to include specified requirements relating to public notice for certain hazardous waste facility permit applications. The rule also clarifies requirements for publishing notice of draft permit for industrial and hazardous waste facilities. The rule was effective 8 August 1999. *For further information contact: Ray Austin; TNRCC; (512) 239-6814.*

Stationary Sources/NESHAPs for Source Categories (24 TXR 5873-9). Final rule of the TNRCC adopts regulations under new Sections 30 TAC 113.170 through .660 (nonconsecutive) and amends regulations under 30 TAC 113.120 through .380 (nonconsecutive) to incorporate NESHAPs for source categories as required by federal standards under 40 CFR 63. The rule incorporates changes to maximum achievable control technology (MACT) standards promulgated on 25 June 1997 and 15 October 1997. The rule also affects standards for coke oven batteries, ethylene oxide sterilization facilities, industrial process cooling towers, pulp and paper production, halogenated solvent cleaning, secondary lead smelting, petroleum refineries, aerospace manufacturing and rework facilities, wood furniture manufacturing operations, primary aluminum reduction plants, Level 1 tanks, containers, surface impoundments, individual drain systems, oil-water separators and organic-water separators, hazardous waste combustors, pharmaceuticals production, and flexible polyurethane foam production. The rule was effective 8 August 1999. *For further information contact: Ann Hammer; TNRCC, Office of Environmental Policy, Analysis, and Assessment; (512) 239-6255.*

Consolidated Permits (24 TXR 5879-82). Final rule of the TNRCC amends regulations under 30 TAC 305.2, .69, .125, .172, .174, .401, .572, and .573 regarding consolidated permits. The rule revises provisions governing public participation and permit modification procedures to conform to federal standards promulgated 11 December 1995 under 40 CFR 270; corrects and reformats cross-references; and clarifies responsibilities and authority in the area of Class 2 modification requests. The rule also adds public notice requirements for temporary authorizations. The rule was effective 8 August 1999. *For further information contact: Ray Austin; TNRCC, Office of Policy and Regulatory Development; (512) 239-6814.*

Used Oil Recycling (24 TXR 5882-5). Final rule of the TNRCC amends regulations under 30 TAC 324.1 through .7, .11 through .16, .21, and .22 and repeals regulations under 30 TAC 324.8 through .10 to clarify provisions governing used oil recycling. The rule was effective 8 August 1999. *For further information contact: Hygie Reynolds; TNRCC; (512) 239-6825.*

STATE PROPOSED RULES

Air Pollution Control/Carbon Monoxide (24 TXR 4969-71). Proposed rule of the TNRCC would repeal regulations under 30 TAC 119.1 through .7 concerning control of air pollution from carbon monoxide. The proposal would eliminate outdated requirements regarding the incineration of vent gas streams from blast furnaces, iron cupolas, and catalyst regeneration units. *For further information contact: Beecher Cameron; TNRCC, Policy and Regulation Division; (512) 239-1495.*

Public Notice (24 TXR 5303-42). Proposed rule of the TNRCC would amend regulations under 30 TAC 39.1 through .301 (nonconsecutive), repeal regulations under TAC 39.401, and adopt regulations under new Sections TAC 39.302 through .713 (nonconsecutive) regarding public notice. The proposal would clarify the applicability of existing notice provisions and correct, clarify, and update provisions pertaining to notices regarding air quality applications and the air permit amendment process. The proposal also will be submitted to U.S. EPA as a revision to the SIP. *For further information contact: Ray Austin; TNRCC; (512) 239-6814.*

Applications (24 TXR 5342-56). Proposed rule of the TNRCC would amend regulations under 30 TAC 50.2, .13, and .31 and adopt regulations under new Sections 30 TAC 50.102 through .145 (nonconsecutive) regarding action on applications. The proposal would consolidate agency procedural provisions and make certain processes consistent across agency programs. *For further information contact: Ray Austin; TNRCC; (512) 239-6814.*

Requests for Reconsideration (24 TXR 5356-76). Proposed rule of the TNRCC would amend regulations under 30 TAC 55.1 and .21 and adopt regulations under new Sections 30 TAC 55.101 through .256 (nonconsecutive) regarding requests for reconsideration and public comment. The proposal would establish avenues for public participation in the permitting process for water, waste, and air applications. The proposal also would consolidate agency procedural provisions and make certain processes consistent across agency programs. *For further information contact: Ray Austin; TNRCC; (512) 239-6814.*

Contested Case Hearings (24 TXR 5376-90). Proposed rule of the TNRCC would amend regulations under 30 TAC 80.1 through .271 (nonconsecutive), repeal regulations under 80.7 through .215 (nonconsecutive), and adopt regulations under new Sections 30 TAC 80.4, .6, .152, .252, and .272 regarding contested case hearings. The proposal would establish and clarify the applicability of notice provisions and provide avenues for public participation in the permitting process for water, waste, and air applications. The proposal also would update notice rules for air quality permit amendments, revise the public comment and contested case hearing process, consolidate agency procedural provisions, and make certain processes consistent across agency programs. The proposal will be submitted to U.S. EPA as a revision to the SIP for air quality permitting actions. *For further information contact: Ray Austin; TNRCC; (512) 239-6814.*

General Air Quality Standards (24 TXR 5390-410, 5550-1). Proposed rule of the TNRCC would amend regulations under 30 TAC 101.1, .2, .10, and .30 and adopt regulations under a new Section 30 TAC 101.28 to revise provisions pertaining to multiple air contaminant sources or properties, emissions inventory requirements, and the conformity of general federal and state actions to SIPs. The proposal also would delete numerous definitions that are duplicated in other chapters and add and revise other definitions. In addition, the proposal would establish requirements for the stringency determination for federal operating permits to allow compliance with a single set of requirements where there are multiple or contradicting requirements. The proposal will be submitted to U.S. EPA as a revision to the SIP. *For further information contact: Beecher Cameron; TNRCC, Regulation Development Section; (512) 239-1495.*

Public Notice/Permits by Rule (24 TXR 5410-3). Proposed rule of the TNRCC would amend regulations under 30 TAC 106.5 and .13 regarding public notice and permits by rule. The proposal would clarify the applicability of existing notice provisions and correct, clarify, and update certain public notice provisions with regard to notices for air quality applications. The proposal will be submitted to U.S. EPA as a revision to the SIP. *For further information contact: Ray Austin; TNRCC; (512) 239-6814.*

VOCs (24 TXR 5413-27, 5552-3, 5559). Proposed rule of the TNRCC would amend regulations under 30 TAC 115.140 and .142 through .149 and adopt regulations under new Sections 30 TAC 115.160 through .167 and .169 regarding the control of air pollution from VOCs. The proposal, which would affect industrial wastewater and batch processes, would conform to U.S. EPA revised ozone transport policy and allow the attainment date of the **Beaumont/Port Arthur** ozone nonattainment area to be extended. The proposal also would incorporate corrections to industrial wastewater standards to ensure the implementation of reasonably available control technology (RACT) in the **Houston/Galveston** (HG) ozone nonattainment area. In addition, the proposal would clarify requirements and references for the **Dallas/Fort Worth, El Paso**, and HG ozone nonattainment areas. The proposal will be submitted to U.S. EPA as a revision to the SIP for ozone transport. *For further information contact: Eddie Mack; TNRCC, Strategic Environmental Analysis and Assessment Division; (512) 239-1488.*

Permits for New Construction/Modification (24 TXR 5427-36). Proposed rule of the TNRCC would amend regulations under 30 TAC 116.111, .114, .116, .183, .312, and .740 and repeal regulations under .124 through .137 (nonconsecutive) regarding the control of air pollution by permits for new construction or modification. The proposal would establish and clarify the applicability of notice provision and provide avenues for public participation in the permitting process for air applications. The proposal also would update notice rules for air quality permit amendments, consolidate agency procedural rules, and make certain processes consistent across agency programs. The proposal will be submitted to U.S. EPA as a revision to the SIP. *For further information contact: Ray Austin; TNRCC; (512) 239-6814.*

Nitrogen Compounds (24 TXR 5436-49, 5560-1). Proposed rule of the TNRCC would amend regulations under 30 TAC 117.10 through .570 (nonconsecutive) regarding air pollution from nitrogen compounds. The proposal would conform to U.S. EPA revised ozone transport policy, allow the attainment date of the **Beaumont/Port Arthur** (BPA) ozone nonattainment area to be extended, require certain lean-burn stationary engines in the BPA area to meet new emission specifications, and set forth other requirements to reduce nitrogen oxide emissions and ozone air pollution. The proposal also would eliminate the requirement to operate wood-fired boilers with flue gas sensor-based trim and add an option to monitor exhaust flow instead of fuel flow. In addition, the proposal would clarify several other requirements and references for major stationary sources in the BPA, **Dallas/Fort Worth**, and **Houston/Galveston** nonattainment areas. The proposal will be submitted to U.S. EPA as a revision to the SIP. *For further information contact: Randy Hamilton; TNRCC; (512) 239-1512.*

Federal Operating Permits (24 TXR 5449-52). Proposed rule of the TNRCC would amend regulations under 30 TAC 122.320 to update public notice rules for federal operating permits. The proposal also would consolidate agency

procedural provisions and make certain processes consistent across agency programs. *For further information contact: Ray Austin; TNRCC; (512) 239-6814.*

Permit Renewal (24 TXR 5452-5). Proposed rule of the TNRCC would amend regulations under 30 TAC 305.63 and adopt regulations under a new Section 30 TAC 305.65 regarding permit renewal. The proposal would authorize the commission to renew permits and act on applications without providing an opportunity for a contested case hearing under certain conditions. The proposal also would call for the commission to provide the opportunity for a contested case hearing if it determines that an applicant's compliance history for the preceding five years raises questions regarding the applicant's ability to comply with the terms of the permit. In addition, the proposal would apply provisions of the new regulations to applications filed on or after 1 September 1999. *For further information contact: Ray Austin; TNRCC; (512) 239-6814.*

Spills and Accidental Discharges (24 TXR 6243-6). Proposed rule of the TNRCC would adopt regulations under new Sections 30 TAC 319.301, .302, and .303 concerning public notice of spills or accidental discharges from wastewater facilities owned or operated by local governments. The proposal would define "local media," "appropriate local government officials," "spill," and "local government." The proposal would also set forth the conditions under which a facility operator must notify local officials and local media that a spill has occurred, outline the conditions for reporting spills that contaminate drinking water supplies, and set forth the form for the notice to be given to local officials and local media. A hearing is scheduled for 2 September 1999 in Austin. Comments are due 15 September 1999. *For further information contact: Jim Dodds; TNRCC; (512) 239-0970.*

STATE NOTICES

Houston/Galveston SIP (24 TXR 5592). Notice of the TNRCC announces a hearing to consider revisions to the **Houston/Galveston** ozone nonattainment area. The proposed revisions would model specific control strategies that would show attainment of the one-hour ozone standard by 2007. *For further information contact: Mike Magee; TNRCC; (512) 239-1511.*

STATE GENERAL INFORMATION

Plague Found in Two Texas Coyotes. The bodies of two coyotes collected in the Valle del Oro of western Potter County, Texas, have been found to be carrying antibodies to the plague, *Yersinia pestis*. The animals were collected within 300 years of one another, but the first animal was collected in November 1998, while the second was collected in late June 1999. Blood samples from these animals were tested as part of a surveillance program conducted in conjunction with the Texas Wildlife Management Service. Coyotes serves as sentinel animals for plague. Veterinarian Dr. Jim Alexander, director of the West Texas Rabies Response Center of the Texas Department of Health warns that two positive animals from the same area indicates the possibility that there is active plague in the Valle del Oro area. It is probably in the wild rodent population of rats, mice, and ground squirrels, although rabbits and hares may also carry the deadly disease.

(NOTE: Current TNRCC regulatory information, including proposals, adoptions, and a rules tracking log, is available on TNRCC's web site at <http://www.tnrcc.state.tx.us/>.)

REGION VII STATE ACTIVITY

IOWA

State Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2000.)

STATE EMERGENCY RULES

Methyl Tertiary-Butyl Ether (MTBE) (22 IAAB 45-6). Emergency rule of the Iowa Department of Natural Resources (IDNR), Environmental Protection Commission (EPC), amends regulations under 567 IAC 135 pertaining to technical standards and corrective action requirements for underground storage tanks (USTs). The rule establishes requirements for MTBE in soil and water samples at UST sites with petroleum contamination. The rule was effective 1 July 1999. *For further information contact: Jim Humeston; IDNR; (515) 281-5145. (Editor's Note: See related rule under "State Proposed Rules" below.) (Region VII Army REC Comment: IDNR is requiring*

all owners of leaking USTs to report the results of testing for MTBE contamination. IDNR will collect this information over the next six months and will prepare a report for the state legislature with recommendations as to whether this chemical should be regulated. The greatest impact could be that the restoration program and RCRA cleanup program will have to reopen the books on those sites that were supposedly clean or under active remediation and require analysis for MTBE and alternative remediation actions. If a site has a POL concern, one of the analytical parameters should now be MTBE.)

STATE FINAL RULES

Rulemaking Procedures/Declaratory Orders (22 IAAB 113-5). Final rule of the IDNR amends regulations under 561 IAC 5.1 and .3 and repeals and readopts regulations under 561 IAC 4 and 6 regarding agency procedures for rulemaking, rulemaking petitions, and declaratory orders. The rule adds uniform rulemaking procedures, conforms to recent legislation, and makes editorial corrections. The rule is effective 1 September 1999. *For further information contact: Anne Preziosi; IDNR, Air Quality Bureau; (515) 281-6243.*

STATE PROPOSED RULES

MTBE (22 IAAB 35). Proposed rule of the IDNR, EPC, would amend regulations under 567 IAC 135 pertaining to technical standards and corrective action requirements for USTs. The proposal would establish requirements for analyzing MTBE in soil and water samples at UST sites with petroleum contamination. The proposal currently is in effect as an emergency rule (22 IAAB 45; 07/14/99). *For further information contact: Jim Humeston; IDNR; (515) 281-5145. (Editor's Note: See related rule and Region VII Army REC comment under "State Emergency Rules" above.)*

STATE NOTICES

Oversight Costs (22 IAAB 89). Notice of the IDNR, EPC, announces an hourly billing rate for the payment of oversight costs to the IDNR pursuant to emergency regulations (21 IAAB 990; 11/18/98) under 567 IAC 137 that establish the Land Recycling Program and response action standards. The regulations require the department to calculate and publish on an annual basis an hourly bill rate at which oversight fees will be calculated. The department has determined that the hourly billing rate will be \$36 per hour effective from 27 October 1998 until publication of a revised rate. The notice clarifies how the rate was determined. *For further information contact: Cal Lundberg; EPC; (515) 281-7040. (Regional Counsel Comment: The Land Recycling Program is a voluntary program. At present, no Army installations have participated in the program. To participate, there is a \$750 application fee, with a \$7,500 ceiling for technical assistance (the \$7,500 ceiling includes the \$750 application fee).)*

(NOTE: General information regarding the IDNR and its various programs, including a status report on proposed rules, draft rules, adopted rules awaiting publication, and recently adopted rules, is available on IDNR's web site at <http://www.state.ia.us/government/dnr/index.html>.)

KANSAS

Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2000.)

STATE FINAL RULES

Surface Water Quality Standards (18 KSR 1021-33). Final rule of the KDHE amends regulations under KAR 28-16-28b, -28c, -28d, -28e, and -28f to revise surface water quality standards and the surface water register. The rule revises and adds definitions; allows for surface waters to be classified as outstanding national resource waters, exceptional state waters, or general purpose waters; adds provisions for alternate mixing zones and alternative low flows; and revises water quality criteria for ammonia, arsenic, atrazine, chloride, and fecal coliform bacteria. The rule also specifies that naturally occurring concentrations of some elements may exceed water quality criteria and deletes certain solid waste provisions. The rule was effective 30 July 1999. *For further information contact: Steve Swaffar; KDHE, Bureau of Water; (785) 296-5508.*

Hazardous Air Pollutants (18 KSR 1099). Final rule of the KDHE, Bureau of Air and Radiation (BAR), repeals regulations under KAR 28-19-751 and -752 and adopts regulations under a new Section KAR 28-19-752a to

consolidate air quality provisions that address the case-by-case determinations for MACT for new and reconstructed sources (not modified sources) of hazardous air pollutants under Section 112(g) of the federal CAA. The rule also conforms to federal requirements under 40 CFR 63.40 through .44 and maintains the primacy of the state operating permit program. The rule was effective 13 August 1999. *For further information contact: Ralph Kieffer; KDHE, BAR; (785) 296-6428.*

STATE NOTICES

LBP Activities (18 KSR 1112). Notice of the KDHE announces the intention to submit an application for authorization from U.S. EPA to administer and enforce certain provisions of TSCA that prescribe standards regarding the licensure of business entities and public agencies, certification of individuals, accreditation of training programs, on-site inspections and requirements, notification and record keeping, and procedures and work practice standards relating to LBP activities. *For further information contact: Barry Brooks; KDHE; (785) 296-1500.*

STATE GENERAL INFORMATION

Year 2000 Kansas Recycling and Composting Recognition Awards. The KDHE is requesting nominations for the Year 2000 Kansas Recycling and Composting Recognition Awards. Winners will be announced at the Recycling and Composting Works! Conference to be held in Lindsborg, Kansas, on 21-23 March 2000. The following criteria should be considered when identifying candidates: community participation, quantity of waste diverted from landfill, public education component of program, innovative approaches to waste reduction, influence on other Kansas programs, regional benefits, efficiency of operations (technical and economic), and appearance of facility and relationship with neighbors. Nominations must be submitted to KDHE by 1 November 1999. *For further information contact: KDHE, Bureau of Waste Management; 1(800) 282-9790.*

(NOTE: General information regarding the KDHE and its various programs, including access to rules and regulations, is available on KDHE's web site at <http://www.kdhe.state.ks.us/>.)

MISSOURI

Legislative/Regulatory Activity

FEDERAL ACTIONS

U.S. EPA Direct Final Rule; Proposed Rule: Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Control of Emissions from HMIWIs; State of Missouri (64 FR 45184/45221). U.S. EPA is approving the state of Missouri's Section 111(d) plan for controlling emissions from existing HMIWIs. The plan was submitted to fulfill the requirements of Sections 111 and 129 of the CAA. The state plan establishes emission limits and controls for sources constructed on or before 20 June 1996. This direct final rule is effective 18 October 1999 without further notice, unless U.S. EPA receives adverse comment by 20 September 1999. If adverse comment is received, a timely withdrawal of the direct final rule will be published in the Federal Register. *For further information contact: Wayne Kaiser; U.S. EPA Region VII, Air Planning and Development Branch; (913) 551-7603.*

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2000.)

STATE REGULATORY ACTIVITY (No significant activity for this period.)

STATE GENERAL INFORMATION

Public Meetings--Update of 303(d) List of Impaired Waters. States are required to submit a 303(d) list every two years of state waters that do not meet water quality standards. The state is then required to establish total maximum daily loads (TMDLs) for those impaired waters. The Missouri Department of Natural Resources (MDNR) is preparing to update its 303(d) list of impaired waters in the state. The MDNR is holding public meetings across the state to discuss water quality issues. The first three meetings were held 18 August 1999 in Springfield, 25 August 1999 in Lees Summit, and 1 September 1999 in Jefferson City. Remaining meetings include the following:

- | | | |
|-----------------------------|------------------|-------------------|
| • St. Louis Regional Office | St. Louis, MO | 8 September 1999 |
| • Northeast Regional Office | Macon, MO | 15 September 1999 |
| • Southeast Regional Office | Poplar Bluff, MO | 22 September 1999 |

All meetings are scheduled from noon to 8:00 p.m. For further information contact: John Ford; MDNR; (573) 751-7024.

(NOTE: General information regarding the MDNR and its various programs is available on MDNR's web site at <http://www.dnr.state.mo.us/homednr.htm>.)

NEBRASKA

Legislative/Regulatory Activity

STATE LEGISLATIVE ACTIVITY (Next regular session begins in January 2000.)

STATE REGULATORY ACTIVITY (No significant activity for this period.)

(NOTE: General information regarding the Nebraska Department of Environmental Quality (NDEQ) and its various programs, including access to rules and regulations, is available on NDEQ's web site at <http://www.deq.state.ne.us/>.)

The Central Region Review is prepared by Versar, Inc., in support of the CREO, to assist you in your compliance efforts. Questions regarding this document should be directed to Ms. Marsha Brustad, CREO Environmental Specialist, at (816) 983-3444 or fax at (816) 426-7414. Legal questions should be directed to Mr. G.T. Zolyak, Regional Counsel, at (410) 436-1275 or fax at (410) 436-1670. Current and past issues of CREO regulatory updates are available on the Internet at <http://aec.army.mil> under "Regional Offices."



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